

Paper No. 20040607

DETAILED ACTION

Applicants' response, which included, addition of new claim 16, cancellation of claims 13-14 and amendment to claim 15, filed on 4/28/2004 under 37 CFR 1.116 in reply to the final rejection has been made of record. Claims 1-10 and 15-16 are now pending.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Don Bird on 6/07/2004.

1. In claim15, in the first line, after "inhibiting the production", delete "or effect".
2. In claim 15, in the third line before "inhibiting" insert "production" .

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

In view of applicants' response, particularly cancellation of claims 13-14, the 112 first paragraph rejection made in the previous office action has been obviated. As for the method claim 15, the claim now recites inhibition of production of $\text{TNF}\alpha$ and since specification has support for enablement for the inhibition of $\text{TNF}\alpha$, the 112 first paragraph scope of enablement requirement is deemed as met with.

The compound of formula 1, namely substituted pyrimidine compound with specific Q^1 , R^1 , R^2 , and R^3 groups with specific m and p values, its process of making, composition and method of use for inhibiting production of $\text{TNF}\alpha$ or treating rheumatoid arthritis as embraced in the instant claims was not found to be anticipated or rendered obvious by the prior art of record. Additional search in the related art area also did not yield any prior art disclosing pyrimidine compound of formula I with specific Q^1 , R^1 , R^2 , and R^3 groups, with specific m and p values, its process of making, composition and method of use for inhibiting production of $\text{TNF}\alpha$ or treating rheumatoid arthritis as embraced in the instant claims. Therefore, the examiner noted that the claims 1-10 and 15-16 would be in condition for allowance.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 1624

Conclusion

Any inquiry concerning this communication from the examiner should be addressed to Venkataraman Balasubramanian (Bala) whose telephone number is (571) 272-0662. The examiner can normally be reached on Monday through Thursday from 8.00 AM to 6.00 PM. The Supervisory Patent Examiner (SPE) of the art unit 1624 is Mukund Shah whose telephone number is (571) 272-0674. If Applicants are unable to reach Mukund Shah within 24-hour period, they may contact James O. Wilson, Acting-SPE of art unit 1624 at 571-272-0661.

The fax phone number for the organization where this application or proceeding is assigned (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-1600.

V. Balasubramanian
Venkataraman Balasubramanian

6/7/2004